

KC / mF

In the Matter of _____ **IN THE MATTER OF THE FILING FOR**
 _____ **APPROVAL OF AN ADDENDUM TO**
 _____ **AGREEMENT REGARDING ASSIGNED**
 _____ **SERVICE AREA BETWEEN**
 _____ **CODINGTON-CLARK ELECTRIC**
 _____ **COOPERATIVE, INC. AND THE CITY**
 _____ **OF WATERTOWN, SOUTH DAKOTA**

[illegible]

BURNS LAW OFFICE

16 EAST KEMP — P.O. BOX 903
WATERTOWN, SOUTH DAKOTA 57201-0903

THOMAS F. BURNS, P.C.
FRANCIS C. BURNS

EL 04-024

PHONE
(605) 886-5885
FAX
(605) 886-2899

July 2, 2004

RECEIVED

JUL 06 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Public Utilities Commission
500 E. Capitol
Pierre, SD 57501-5070

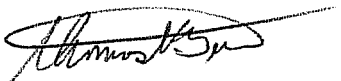
Re: Codington Clark Electric Cooperative and City of Watertown
Agreement modifying assigned service area

Greetings:

Enclosed is the original and 10 copies of a PETITION FOR APPROVAL OF ADDENDUM TO AGREEMENT REGARDING ASSIGNED SERVICE AREA and the original and 10 copies of the ADDENDUM TO AGREEMENT REGARDING ASSIGNED SERVICE AREA between the City of Watertown and Codington-Clark Electric Cooperative dated June 24, 2004. Please advise me as to when this matter is placed on the docket. If there is anything further you require from me, please let me know. Thanks very much for your help.

Cordially yours,

BURNS LAW OFFICE



By: Thomas F. Burns
TFB/rs
enc.
cc: Gene C. Ward
Geoffrey Heig

RECEIVED

JUL 06 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY *
CODINGTON-CLARK ELECTRIC * PETITION FOR APPROVAL
COOPERATIVE, INC., AND THE CITY OF * OF ADDENDUM TO
WATERTOWN, SOUTH DAKOTA, FOR * AGREEMENT REGARDING
APPROVAL OF AGREEMENT TO MODIFY * ASSIGNED SERVICE AREA
ASSIGNED SERVICE AREA *

Codington-Clark Electric Cooperative, Inc. states to the
Commission and moves the Commission as follows:

1. On August 5, 1998, the Commission entered its Order Approving Changes in Service Area, docket number EL98-017, which approved an Agreement between Codington-Clark Electric Cooperative, Inc. and the City of Watertown regarding their assigned service area. The Commission conditioned its approval on the amendment of the Agreement to provide for the expiration of the Agreement on July 23, 2001. The parties entered into an Addendum to that Agreement for the purpose of renewing the Agreement until July 23, 2004, and the Commission entered its Order approving the Addendum on July 27, 2001, docket number EL01-018.

2. The parties have entered into new Addendum to Agreement Regarding Assigned Service Area dated June 24, 2004, providing for the extension of the Agreement to July 23, 2007, which Addendum is filed herewith.

3. Petitioner requests approval of the Addendum.

4. This matter is governed by SDCL 49-34A-55.

WHEREFORE, Petitioner, Codington-Clark Electric Cooperative,

Original

Inc., petitions the Commission for its approval of the Addendum to Agreement Regarding Assigned Service Area dated June 24, 2004.

Dated this 2nd day of July, 2004.

BURNS LAW OFFICE

BY 

Thomas F. Burns
Attorney for Petitioner
16 East Kemp - P.O. Box 903
Watertown, South Dakota 57201
605-886-5885

ADDENDUM TO AGREEMENT REGARDING
ASSIGNED SERVICE AREA

This Addendum is made this 24th day of June, 2004, to the
AGREEMENT TO MODIFY ASSIGNED SERVICE AREA BETWEEN CODINGTON-CLARK
ELECTRIC COOPERATIVE, INC., AND CITY OF WATERTOWN, SOUTH DAKOTA
dated December 3, 1993,

WITNESSETH:

WHEREAS, Codington Clark Electric Cooperative, Inc., and the
City of Watertown, South Dakota, on December 3, 1993, entered into
an agreement to modify assigned service area, and

WHEREAS, said agreement provided that the parties could
modify the same by mutual consent, and

WHEREAS the parties amended the said agreement by Addendum
dated July 27, 1998, and Addendum dated June 21, 2001, and

WHEREAS the parties wish to extend the term of the said
agreement,

NOW, THEREFORE,

IN CONSIDERATION the mutual covenants herein contained, it is
agreed that the said agreement to modify assigned service area is
amended by providing that the term thereof is extended through and
shall expire after July 23, 2007.

In all other respects the terms of the said agreement dated
December 3, 1993, shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have caused this
instrument to be executed the day and year first above written.

CITY OF WATERTOWN, SOUTH DAKOTA
(Municipal Utilities Department)

By: 

Its President

CODINGTON-CLARK ELECTRIC
COOPERATIVE, INC.

By: 

Its President

(CORPORATE SEAL)

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of July 1, 2004 through July 7, 2004

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact
Delaine Kolbo within five business days of this report. Phone: 605-773-3201

CONSUMER COMPLAINTS

CN04-001 In the Matter of the Complaint filed by Dan Larson, Meckling, South Dakota, against MidAmerican Energy Company Regarding Improper Disconnection and Requirement to Replace Furnace.

Complainant alleges that MidAmerican Energy was negligent by not taking a carbon monoxide reading before turning the gas off to his house and red-tagging his furnace. Complainant is requesting that MidAmerican reimburse him for the cost of a new furnace, labor, and two electric heaters.

Staff Analyst: Jim Mehlhaff
Staff Attorney: Karen Cremer
Date Docketed: 07/07/04

ELECTRIC

EL04-024 In the Matter of the Filing for Approval of an Addendum to Agreement Regarding Assigned Service Area between Codington-Clark Electric Cooperative, Inc. and the City Of Watertown, South Dakota.

On July 6, 2004, Codington-Clark Electric Cooperative, Inc. (Codington-Clark Electric) and the City of Watertown (City) filed a Petition for Approval of Addendum to Agreement Regarding Assigned Service Area. On August 5, 1998, the Commission approved an Agreement between Codington-Clark Electric and the City regarding their assigned service area. The Agreement was for a three year term, which expired on July 23, 2001. The parties entered into an Addendum to that Agreement for the purpose of renewing the Agreement until July 23, 2004. This filing is for approval of a new Addendum to Agreement Regarding Assigned Service Area providing for the extension of the Agreement to July, 23, 2007.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Filed: 07/06/04
Intervention Deadline: 07/23/04

TELECOMMUNICATIONS

TC04-120 In the Matter of the Establishment of Switched Access Revenue Requirement for Golden West Telecommunications Cooperative, Inc.

On July 1, 2004, Golden West Telecommunications Cooperative, Inc., Wall, South Dakota, filed a switched access cost study developing a revenue requirement and minutes of use that are included in the revenue requirement and minutes of use used to determine the switched access rates for the Local Exchange Carriers Association.

Staff Analyst: Keith Senger
Staff Attorney: Karen Cremer

Date Docketed: 07/01/04
Intervention Deadline: 07/23/04

TC04-121 In the Matter of the Establishment of Switched Access Revenue Requirement for Vivian Telephone Company.

On July 1, 2004, Vivian Telephone Company, Wall, South Dakota, filed a switched access cost study developing a revenue requirement and minutes of use that are included in the revenue requirement and minutes of use used to determine the switched access rates for the Local Exchange Carriers Association.

Staff Analyst: Keith Senger
Staff Attorney: Karen Cremer
Date Docketed: 07/01/04
Intervention Deadline: 07/23/04

TC04-122 In the Matter of the Establishment of Switched Access Revenue Requirement for Sioux Valley Telephone Company.

On July 1, 2004, Sioux Valley Telephone Company, Dell Rapids, South Dakota, filed a switched access cost study developing a revenue requirement and minutes of use that are included in the revenue requirement and minutes of use used to determine the switched access rates for the Local Exchange Carriers Association.

Staff Analyst: Keith Senger
Staff Attorney: Karen Cremer
Date Docketed: 07/01/04
Intervention Deadline: 07/23/04

TC04-123 In the Matter of the Establishment of Switched Access Revenue Requirement for Bridgewater-Canistota Independent Telephone Company.

On July 1, 2004, Bridgewater-Canistota Independent Telephone Company, Hartford, South Dakota, filed a switched access cost study developing a revenue requirement and minutes of use that are included in the revenue requirement and minutes of use used to determine the switched access rates for the Local Exchange Carriers Association.

Staff Analyst: Keith Senger
Staff Attorney: Karen Cremer
Date Docketed: 07/01/04
Intervention Deadline: 07/23/04

TC04-124 In the Matter of the Establishment of Switched Access Revenue Requirement for Union Telephone Company.

On July 1, 2004, Union Telephone Company, Hartford, South Dakota, filed a switched access cost study developing a revenue requirement and minutes of use that are included in the revenue requirement and minutes of use used to determine the switched access rates for the Local Exchange Carriers Association.

Staff Analyst: Keith Senger
Staff Attorney: Karen Cremer
Date Docketed: 07/01/04

Intervention Deadline: 07/23/04

TC04-125 In the Matter of the Establishment of Switched Access Revenue Requirement for West River Telecommunications Cooperative.

On July 1, 2004, West River Telecommunications Cooperative, Hazen, North Dakota, filed a switched access cost study developing a revenue requirement and minutes of use that are included in the revenue requirement and minutes of use used to determine the switched access rates for the Local Exchange Carriers Association. In accordance with ARSD 20:10:27:10, West River Telecommunications Cooperative requests that the Commission allow the use of GVNW's cost study model as opposed to the Commission model for determining West River Telecommunications Cooperative's revenue requirement.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Docketed: 07/01/04
Intervention Deadline: 07/23/04

TC04-126 In the Matter of the Filing by Midstate Telecom, Inc. for Approval of Revisions to its Intrastate Switched Access Tariff.

On July 2, 2004, Midstate Telecom, Inc. (MTI) submitted, for approval, revised pages to MTI's Switched Access Tariff No. 1. MTI's revised tariff rates are based on a statewide average in accordance with ARSD 20:10:27:12. MTI was granted exemption from developing intrastate switched access rates based on company specific costs in Docket TC02-032.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Filed: 07/02/04
Intervention Deadline: 07/23/04

TC04-127 In the Matter of the Filing by Northern Valley Communications, LLC for Approval of Revisions to its Intrastate Switched Access Tariff.

On July 2, 2004, Northern Valley Communications (NVC) submitted, for approval, revised pages to NVC's Intrastate Switched Access Tariff No. 1. NVC's revised tariff rates are based on a statewide average in accordance with ARSD 20:10:27:12. NVC was granted exemption from developing intrastate switched access rates based on company specific costs in Docket TC02-170.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Filed: 07/02/04
Intervention Deadline: 07/23/04

TC04-128 In the Matter of the Filing by Qwest Corporation for Approval of Revisions to its Access Service Tariff

On July 6, 2004, Qwest Corporation (Qwest) filed a revision to its Access Service Tariff. "These revisions establish a simple easy to understand Expedite Order Charge that will apply when a customer requests a service date that is prior to the standard interval service date or when a customer requests an earlier service date on a pending standard or negotiated interval order. Qwest requests this filing to be effective July 31, 2004."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Docketed: 07/06/04
Intervention Deadline: 07/23/04

**You may receive this listing and other PUC publications via our website or via internet e-mail.
You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc>**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE FILING FOR))	ORDER APPROVING
APPROVAL OF AN ADDENDUM TO))	ADDENDUM TO
AGREEMENT REGARDING ASSIGNED))	AGREEMENT REGARDING
SERVICE AREA BETWEEN CODINGTON-))	ASSIGNED SERVICE AREA
CLARK ELECTRIC COOPERATIVE, INC. AND))	
THE CITY OF WATERTOWN, SOUTH DAKOTA))	EL04-024

On July 6, 2004, the Public Utilities Commission (Commission) received a request from Codington-Clark Electric Cooperative, Inc. (Codington) seeking Commission approval of an Addendum to Agreement Regarding Assigned Service Area between Codington and the City of Watertown. The Addendum is set to expire on July 23, 2007. On August 5, 1998, the Commission had approved an Agreement Regarding Assigned Service Area between Codington and the City of Watertown with the condition that the agreement expire on July 23, 2001. On July 27, 2001, the Commission approved an Addendum to Agreement Regarding Assigned Service Area with the condition that the addendum expire on July 23, 2004.

On August 17, 2004, at its regularly scheduled meeting, the Commission considered Codington's request for approval of the Addendum to Agreement Regarding Assigned Service Area. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. The Commission clarified that the Addendum to Agreement Regarding Assigned Service Area does not permit the parties to modify their service area territory without Commission approval. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of the Addendum to Agreement Regarding Assigned Service Area between Codington and the City of Watertown is hereby approved, effective July 23, 2004, with an expiration date of July 23, 2007.

Dated at Pierre, South Dakota, this 26th day of August, 2004.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Mildred Kalbo

Date: 8/27/04

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner